

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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BANK OF AMERICA, N.A.,

Plaintiff(s),

v.

REDROCK PARK HOMEOWNERS
ASSOCIATION, et al.,

Defendant(s).

Case No. 2:16-CV-659 JCM (NJK)

ORDER

Presently before the court is plaintiff Bank of America, N.A.’s (“BANA”) unopposed motion for leave to file amended complaint. (ECF No. 81).

Federal Rule of Civil Procedure 15(a) provides that leave to amend “shall be freely given when justice so requires.” Fed. R. Civ. P. 15(a). The United States Supreme Court has interpreted Rule 15(a) and confirmed the liberal standard district courts must apply when granting such leave.

In *Foman v. Davis*, the Supreme Court explained: “[i]n the absence of any apparent or declared reason—such as undue delay, bad faith or dilatory motive on the part of the movant, repeated failure to cure deficiencies by amendments previously allowed, undue prejudice to the opposing party by virtue of allowance of the amendment, futility of the amendment, etc.—the leave sought should, as the rules require, be ‘freely given.’” 371 U.S. 178, 182 (1962).

Further, Local Rule 15-1(a) requires that a plaintiff submit a proposed, amended complaint along with its motion to amend. LR 15-1(a). Plaintiff has included a proposed amended complaint with its motion to amend in compliance with this rule. (ECF No. 33-1). Furthermore, defendant does not oppose plaintiff’s motion. (ECF No. 36).


1 Based on the foregoing, the court finds good cause to grant plaintiff leave to amend its
2 complaint.

3 Accordingly,

4 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that plaintiff's unopposed
5 motion for leave to file amended complaint (ECF No. 81) be, and the same hereby is, GRANTED.

6 IT IS FURTHER ORDERED that defendants' motions to dismiss (ECF Nos. 7, 8) be, and
7 the same hereby are, DENIED WITHOUT PREJUDICE as moot.

8 DATED October 11, 2016.

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UNITED STATES DISTRICT JUDGE